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signature pages*

**UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA  
OAKLAND DIVISION**

IN RE: SOCIAL MEDIA ADOLESCENT  
ADDICTION/PERSONAL INJURY PRODUCTS  
LIABILITY LITIGATION

THIS FILING RELATES TO:

ALL ACTIONS

MDL No. 3047

Case No. 4:22-md-03047-YGR (PHK)

Honorable Peter H. Kang

**OMNIBUS STIPULATION REGARDING  
SEALING MATERIAL IN [PROPOSED]  
ORDER GOVERNING PRESERVATION  
OF CSAM**

Pursuant to Civil Local Rules 7-11 and 79-5 and this Court’s Order Setting Sealing Procedures (Dkt. 341), Plaintiffs and Defendants Meta Platforms, Inc.; Facebook Holdings, LLC; Facebook Orations, LLC; Facebook Payments, Inc.; Facebook Technologies, LLC; Instagram, LLC; and Siculus, Inc. (collectively, “Meta”) submit this Omnibus Stipulation Regarding Sealing Material in [Proposed] Order Governing Preservation of CSAM (“Proposed CSAM Preservation Order”).

Meta requests that the portion of the Proposed CSAM Preservation Order (Dkt. 462-1) listed in the following table be maintained under seal and redacted in any publicly filed copy. This portion of the Proposed CSAM Preservation Order contains highly sensitive, non-public information that could be used by bad actors to evade detection and/or enforcement. Plaintiffs, in the interest of avoiding a dispute on this limited issue before the Court, do not oppose the sealing and redaction of the below-listed portion of the Proposed CSAM Preservation Order.

The Parties agree that the portions of the Proposed CSAM Preservation Order not listed in the chart may be unsealed.<sup>1</sup>

Page and Lines to Be Sealed	Basis for Sealing
3:4 (from after “or the” to before “label”)	The portion of the Proposed CSAM Preservation Order referenced in this chart is a single piece of non-public information that could enable online predators and other bad actors to exploit Meta’s CSAM detection and reporting systems. In the context of a request to seal discovery material only tangentially related to a case’s merits, a court may seal material when a party establishes “good cause” for sealing. <i>See Ctr. for Auto Safety v. Chrysler Grp., LLC</i> , 809 F.3d 1092, 1097 (9th Cir. 2016). Courts apply this good-cause standard to filings related to preservation issues. <i>See, e.g., Calhoun v. Google LLC</i> , 2022 WL 3348583, at *1–2 (N.D. Cal. Aug. 12, 2022). Even under the heightened compelling-reasons standard—which is more stringent than the good-cause standard that

<sup>1</sup> Meta does not waive, and expressly reserves, its right to move to seal other material from, or derived from, documents quoted, paraphrased, characterized, or otherwise cited in the Proposed CSAM Preservation Order. The confidentiality or appropriateness of sealing material other than that cited in the Proposed CSAM Preservation Order is not currently at issue, and Meta does not waive any right with respect to that material.

Page and Lines to Be Sealed	Basis for Sealing
	<p>applies to this preservation issue—courts grant motions to seal when “court files might . . . become a vehicle for improper purposes.” <i>Kamakana v. City &amp; Cnty. of Honolulu</i>, 447 F.3d 1172, 1179 (9th Cir. 2006) (quoting <i>Nixon v. Warner Commc’ns, Inc.</i>, 435 U.S. 589, 598 (1978)). For example, courts have routinely sealed information that could be used by bad actors to evade security systems. <i>See, e.g., Connor v. Quora, Inc.</i>, 2020 WL 6700473, at *2 (N.D. Cal. Nov. 13, 2020) (sealing information “that could be used by a bad actor to exploit and breach Quora’s systems”); <i>Adtrader, Inc. v. Google LLC</i>, 2020 WL 6387381, at *2 (N.D. Cal. Feb. 24, 2020) (sealing information that “could . . . alert[] individuals who seek to circumvent Google’s detection systems”); <i>In re Google Inc. Gmail Litig.</i>, 2014 WL 10537440, at *4 (N.D. Cal. Aug. 6, 2014) (sealing information that “could lead to a breach in the security of the Gmail system”). They also have found compelling reasons to seal material that “could put at risk the safety of one or more individuals if made public.” <i>Campbell v. Grounds</i>, 2022 WL 14151744, at *1 (N.D. Cal. Oct. 24, 2022) (sealing witness name to protect safety).</p> <p>Plaintiffs do not oppose the sealing of this information in the Proposed CSAM Preservation Order.</p>

Pursuant to this case's sealing procedures, a Proposed Order implementing this stipulation and a copy of the Proposed CSAM Preservation Order with the redactions agreed by the Parties listed above are attached.

**IT IS SO STIPULATED AND AGREED.**

DATED: December 1, 2023

Respectfully submitted,

**COVINGTON & BURLING LLP**

/s/ Ashley M. Simonsen

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#### ATTESTATION

I, Ashley M. Simonsen, hereby attest, pursuant to N.D. Cal. Civil L.R. 5-1, that the concurrence to the filing of this document has been obtained from each signatory hereto.

DATED: December 1, 2023

By: /s/ Ashley M. Simonsen

Ashley M. Simonsen